

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 2:07-cr-00039-MR-1**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PHILLIP EZZELL DENTON,

Defendant.

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ORDER

THIS MATTER is before the Court on the Defendant's "Petition for Amendment 782 Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)" [Doc. 183].

On January 24, 2008, the Defendant pled guilty pursuant to a written plea agreement to one count of conspiracy to distribute and to possess with intent to distribute at least 500 grams of a mixture or substance containing a detectable amount of methamphetamine, in violation of 21 U.S.C. § 846, 841(a)(1), and 841(b)(1)(A)(viii). On June 27, 2008, the Court sentenced the Defendant as a career offender under U.S.S.G. § 4B1.2 to a total term of 204 months' imprisonment. [Doc. 94].

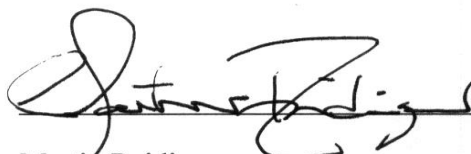
The Defendant now seeks a reduction of his sentence pursuant to 18 U.S.C. § 3582 and Amendment 782 of the U.S. Sentencing Guidelines. [Doc. 183].

The Defendant's motion is denied. The enactment of Amendment 782 did not affect the calculation of the Defendant's advisory guideline range, as the Defendant was sentenced as a career offender. See United States v. France, 637 F. App'x 733, 734 (4th Cir. 2016).

IT IS, THEREFORE, ORDERED that the Defendant's "Petition for Amendment 782 Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)" [Doc. 183] is **DENIED**.

IT IS SO ORDERED.

Signed: February 25, 2020


Martin Reidinger
United States District Judge

